

OK TO ENTER

/Douglas M. Willis/

Docket No.: 415852000800
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Christopher J. BURNS et al.

Application No.: 10/538,499

Filed: December 11, 2003 Int'l

For: PYRAZINE-BASED TUBULIN INHIBITORS

Confirmation No.: 7053

Art Unit: 1624

Examiner: Douglas M. Willis

SUPPLEMENTAL RESPONSE UNDER 37 C.F.R. § 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in further response to an Office action herein, mailed 22 October 2010, time for response to which was set to expire 22 January 2011. The rejection of claims 1, 3-8 and 10 was maintained and the rejection was made final. Claims 2 and 9 were objected to as dependent on a non-allowed claim but were considered otherwise allowable. An Advisory Action was mailed on 5 January 2011 indicating that the proposed amendment would overcome the rejection for anticipation, but that a rejection for obviousness would be maintained unless it could be shown that the invention in the cited PCT publication (WO02/060492) was derived from the inventors herein. Applicants assume that it would be equally correct to establish that the claimed invention herein is the invention solely of Burns and Wilks. A Petition to Change Inventorship under

